



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG/JDG/CMP
F.#2008R00530

271 Cadman Plaza East
Brooklyn, New York 11201

February 8, 2012

By Federal Express

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Re: United States v. Thomas Gioeli, et al.
Criminal Docket No. 08-240 (BMC)

Dear Counsel:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, the government's obligations under Brady v. Maryland, 373 U.S. 83 (1963) and Court's prior order of November 4, 2009,¹ the government hereby furnishes the following additional discovery in the above-captioned case.

Please note that Discovery Exhibits 1373 and 1374 contain Internal Affairs Bureau ("IAB") Source Materials, as defined in the government's January 30, 2012 discovery letter (ECF Docket No. 1340).

¹ See United States v. Gioeli, et al., No. 08 CR 240 (BMC), ECF Docket No. 442 (filed November 4, 2009).

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<u>EXHIBIT</u>	<u>DESCRIPTION</u>
1363a-1	Draft transcriptions of portions of consensual recordings dated March 19, April 23, April 24, April 25, May 6, May 7, May 11, May 12, May 14, June 9 and June 23, 2008 ²
1364	Compact disc containing portions of consensual recordings dated March 19, April 23, April 24, April 25, May 6, May 7, May 11, May 12, May 14, June 9 and June 23, 2008
1365	New York State Department of Health License and Certificate of Marriage of Lina D'Orazio (née Lina Competiello)
1366	Surveillance photographs of Thomas Gioeli, Dino Calabro, Nicky Rizzo and others, taken June 13, 2002
1367	Surveillance photographs of Dino Calabro, Vincent DeMartino and others, taken July 3, 2002
1368	Photographs of Ralph Dols and others
1369	Digital video disc containing surveillance video of David Gordon and others, recorded February 29, 2008
1370	Surveillance photographs of Thomas Gioeli and Joseph Monteleone, Sr., taken March 2, 1992
1371	Copy of certified Certificate of Marriage Registration of Joel Cacace and Kim Kennaugh

² The draft transcriptions are being provided in accordance with the draft transcript stipulations previously executed by counsel on behalf of the defendants.

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<u>EXHIBIT</u>	<u>DESCRIPTION</u>
1372	Surveillance photographs of Dino Saracino, Dino Calabro and others, taken August 6, 1997
1373	CD containing six audio recordings from the IAB Source Materials, which have been converted from the original audio cassette format to .wav files
1374	CD containing Box 4 of the IAB Source Materials, organized into PDF files according to the original file folders and labeled "Folders 1-33"

If you have any questions or requests, please contact us.

Sincerely,

LORETTA E. LYNCH
United States Attorney

By: /s/James D. Gatta
Elizabeth A. Geddes
James D. Gatta
Cristina M. Posa
Assistant U.S. Attorneys

cc: All Counsel (by ECF) (w/o enclosures)
Clerk of the Court (BMC) (by ECF) (w/o enclosures)